

PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-307, MCA)  
The following application has been submitted to appropriate water in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION FOR BENEFICIAL WATER USE PERMIT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

**OBJECTION DEADLINE: JANUARY 24, 2020.** THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020, PHONE: 406-538-7459, FAX: 406-538-7089.

IF ISSUED, THE RIGHT WILL BE SUBJECT TO PRIOR EXISTING WATER RIGHTS.

**Application Number:** 41S 30121942

**Owners:** CONNERS FAMILY REVOCABLE TRUST  
132 THUNDER RIDGE TRL  
LEWISTOWN, MT 59457 8603

**Priority Date:** JANUARY 31, 2019 at 01:32 P.M.

**Purpose (use):** FISHERY  
IRRIGATION

**Maximum Volume:** 11.80 AC-FT

**Maximum Acres:** 2.00

**Source Name:** UNNAMED TRIBUTARY OF BIG SPRING CREEK

**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	25	15N	18E	FERGUS

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ON STREAM

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		N2NWNW	25	15N	18E	FERGUS

**Depth:** 17.00 FEET

**Surface Area:** 0.96 ACRES

**Current Capacity:** 8.20 ACRE-FEET

**Purpose (Use):** FISHERY

**Volume:** 9.80 AC-FT

**Period of Use:** JANUARY 1 to DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NWNW	25	15N	18E	FERGUS

**Purpose (Use):** IRRIGATION

**Irrigation Type:** SPRINKLER

**Climatic Area:** 5 - LOW

**Volume:** 2.00 AC-FT

**Period of Use:** APRIL 25 to OCTOBER 5

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		N2NWNW	25	15N	18E	FERGUS

**Total:** 2.00

**Remarks:**

**IMPORTANT INFORMATION**

1. WATER MONITORING REQUIRED:  
THE APPROPRIATOR MUST MEET CERTAIN MINIMUM STREAM FLOW CONDITIONS ON BIG SPRING CREEK PRIOR TO IMPOUNDING WATER IN ITS RESERVOIR OR DIVERTING WATER FROM ITS SECONDARY DIVERSION SYSTEM FOR IRRIGATION PURPOSES. ALTHOUGH THE FOLLOWING CONDITION SPECIFIES CERTAIN STREAM FLOW LEVELS, IT IS THE APPROPRIATOR'S RESPONSIBILITY TO ENSURE THAT ALL SENIOR WATER RIGHTS ARE BEING MET AT ALL TIMES. IT IS THE RESPONSIBILITY OF THE APPROPRIATOR TO CEASE DIVERSIONS WHEN ITS WATER RIGHT IS CALLED BY SENIOR WATER USERS ON BIG SPRING CREEK.

THE APPROPRIATOR SHALL NOT IMPOUND WATER IN ITS RESERVOIR OR DIVERT WATER FOR IRRIGATION PURPOSES UNLESS USGS STREAM GAGE NO. 06111800 (BIG SPRING CR AT R&B TRADING POST NR LEWISTOWN MT) IS OPERATING AND REGISTERING STREAM FLOWS. THE APPROPRIATOR SHALL DIVERT WATER ONLY DURING THE PERIOD OF APPROPRIATION WHEN THE FLOW RATE AT USGS GAGE NO. 06111800 INDICATES A FLOW OF AT LEAST 110 CUBIC FEET PER SECOND. STREAM FLOWS AT THE REFERENCED USGS GAGE MUST BE CHECKED AT LEAST WEEKLY TO ENSURE CONDITIONS ARE APPROPRIATE FOR DIVERSIONS. ONCE THE FLOW AT THE REFERENCED GAGE DROPS TO OR BELOW 110 CFS, THE GAGE MUST BE CHECKED DAILY. THE CURRENT USGS STREAM GAGING WEBSITE IS: [HTTPS://WATERDATA.USGS.GOV/MT/NWIS/CURRENT?TYPE=FLOW](https://waterdata.usgs.gov/mt/nwis/current?type=flow)

2. WATER MEASUREMENT REQUIRED:  
THE APPROPRIATOR SHALL INSTALL DEPARTMENT APPROVED WATER USE MEASURING DEVICES AND OR UTILIZE APPROVED MEASURING METHODS AT THE FOLLOWING POINTS:

A. ON THE UNNAMED TRIBUTARY UPSTREAM AND AS CLOSE AS PRACTICABLE TO THE RESERVOIR, IN ORDER TO MEASURE INFLOWS INTO THE RESERVOIR.  
AND

B. ON THE UNNAMED TRIBUTARY DOWNSTREAM AND AS CLOSE AS PRACTICABLE TO THE RESERVOIR, IN ORDER TO MEASURE OUTFLOWS FROM THE RESERVOIR. ALTERNATIVELY, MEASUREMENT CAN OCCUR FROM THE OUTLET WORKS IN THE RESERVOIR IF A SUITABLE MEANS OF MEASURING WATER CAN BE EMPLOYED.

AT EITHER MEASURING POINT, THE TYPE OF DEVICE AND/OR METHOD AND LOCATION MUST BE APPROVED BY THE DEPARTMENT BEFORE WATER IS DIVERTED UNDER THIS PERMIT. AT ANY TIME THE STREAM LEVEL IN USGS STREAM GAGE NO. 06111800 (BIG SPRING CR AT R&B TRADING POST NR LEWISTOWN MT) DROPS TO 110 CFS OR LOWER, THE APPROPRIATOR SHALL ENSURE THE OUTFLOW OR DISCHARGE OF WATER FROM THE RESERVOIR IS NO LESS THAN THE INFLOW INTO THE RESERVOIR. THE APPROPRIATOR SHALL KEEP A WRITTEN RECORD OF THE INFLOW AND OUTFLOW MEASURED (FLOW RATE), INCLUDING THE PERIOD OF TIME, AND SHALL DOCUMENT WHAT THE SIMULTANEOUS FLOW IS AT THE USGS GAGE IN BIG SPRING CREEK. THE RECORDS MUST CLEARLY SHOW HOW THE INTENT OF CONDITIONS NO. 1 AND 2 ARE MET.

**IMPORTANT INFORMATION**

RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF THE PERMIT. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE LISTED BELOW. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICES SO THEY ALWAYS OPERATE PROPERLY AND MEASURE FLOW RATE ACCURATELY. SUBMIT RECORDS TO:

LEWISTOWN WATER RESOURCES OFFICE  
613 NE MAIN ST, SUITE E  
LEWISTOWN, MT  
PHONE: 406-538-7459

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